IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 33229 of 2006(E)

PETITIONER:

K.GOPALAN,
VILLAGE OFFICER, KASARAGOD KASABA VILLAGE,
KASARAGOD DISTRICT.

BY ADV. SRI.K.SHRIHARI RAO
SMT.N.SHOBHA
SRI.P.N.ANOOP

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE COMMISSIONER,
LAND REVENUE, TRIVANDRUM.

3. THE DISTRICT COLLECTOR,
KASARAGOD.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 33229 OF 2006 E
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Dated this the 14th December, 2006

J U D G M E N T

The petitioner is working as Village Officer in Kasaragod District. Ext. P2 representation filed by him before the 2nd respondent has not been considered. He belongs to a Scheduled Tribe community who entered service prior to 31-12-1985. On that basis he says that he is entitled to avail the benefit of exemption from test qualification in the matter of declaration of probation and promotion. It is his contention that promotions were effected without due regard to his right for exemption from qualification and therefore the promotions already ordered are liable to be revised and he is granted his due benefits.

2. Ext. P2 shall be taken up for consideration in

the light of the claim made by the petitioner and appropriate orders passed within two months on the petitioner producing a copy of the judgment along with a copy of the writ petition. Needless to state that copy of the order shall be communicated to the petitioner immediately.

K.K. DENESAN
JUDGE

jan/